

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ELENDOW FUND, LLC,

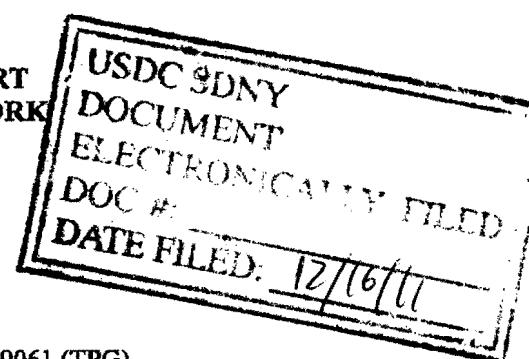
Plaintiff,

v.

10 Civ. 9061 (TPG)

RYE SELCT BROAD MARKET XL FUND, L.P.,  
RYE INVESTMENT MANAGEMENT,  
TREMONT CAPITAL MANAGEMENT INC.,  
TREMONT GROUP HOLDINGS, INC, TREMONT  
PARTNERS, INC., MASSACHUSETTS MUTUAL  
LIFE INSURANCE CO., MASSMUTUAL HOLDINGS  
LLC, OPPENHEIMER ACQUISITION CORPORATION,  
KPMG LLP, RUPERT ALLAN, JIM MITCHELL  
and ROBERT SCHULMAN,

Defendants

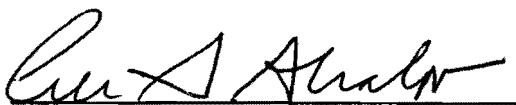


**STIPULATION AND [PROPOSED] ORDER**

IT IS HEREBY STIPULATED AND AGREED, by and between undersigned counsel, as follows:

1. The time for Plaintiff, Elendow Fund, LLC ("Elendow") to file its First Amended Complaint in this action is extended from December 19, 2011, to and including December 23, 2011.
2. The time for Defendants to move, answer or otherwise respond to Elendow's First Amended Complaint is extended from January 31, 2012, to and including February 6, 2012.
3. All other dates reflected in this Court's Order dated November 14, 2011, regarding Elendow are not affected by this Stipulation.

Dated: New York, New York  
December 15, 2011



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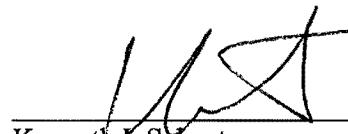
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*Company and MassMutual Holding LLC*

**SO ORDERED**

  
Hon. Thomas P. Griesa  
United States District Court Judge

12/16/11